



**Response under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2871**

PATENT
Attorney Docket No. 041501-5443

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
In Jae CHUNG et al.)	Confirmation No.: 6711
)	
Application No.: 09/941,628)	Group Art Unit: 2871
)	
Filed: August 30, 2001)	Examiner: M. Ton
)	
For: LIQUID CRYSTAL DISPLAY PANEL)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

RESPONSE AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated August 21, 2003 (Paper No. 19), the period for response to which extends through November 21, 2003, favorable reconsideration and allowance of the subject application are respectfully requested in view of the following remarks.

Summary of the Office Action

Claims 1, 2, 5-8, 22 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Sawatsubashi et al.* (U.S. Patent No. 5,148,301) in view of *Wakai et al.* (U.S. Patent No. 5,166,085).

Summary of the Response to the Office Action

No changes to the claims have been proposed by this response. Accordingly, claims 1, 2, and 5-23 are currently pending, with claims 1, 2, 5-8, 22, and 23 being under consideration.

Claim Rejection Under 35 U.S.C. §103(a)

Claims 1, 2, 5-8, 22 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Sawatsubashi et al.* in view of *Wakai et al.* This rejection is respectfully traversed for at least the following reasons.

Applicants respectfully submit that *Sawatsubashi et al.* and *Wakai et al.*, whether taken separately or in combination, fail to teach or suggest every feature of claims 1, 2, 5-8, 22 and 23. For example, it is respectfully submitted neither *Sawatsubashi et al.* nor *Wakai et al.* teaches or suggests the claimed combination as set forth in independent claim 1 including at least “an electrode pattern formed on the second substrate,” “a seal pattern formed...completely surrounding the electrode pattern,” “a pixel electrode on said protective film,” and “wherein the electrode pattern is between said seal pattern and said protective film.”

At paragraph 2, lines 10-11, the Final Office Action states that “Sawa discloses the electrode pattern contacting (/embedded within) the seal pattern (Figures 3-4).” However, in contrast to the Final Office Action’s assertion, Applicants respectfully submit that FIGs. 3-4 of *Sawatsubashi et al.* and other portions of *Sawatsubashi et al.*’s disclosure do not teach or suggest at least the feature of the seal pattern completely surrounding the electrode pattern, as set forth in claim 1 or the feature of the electrode pattern being embedded within the seal pattern, as set forth in claim 22.

Further, it is respectfully submitted that *Wakai et al.* is not relied upon as teaching an electrode pattern or a seal pattern. In addition, it is respectfully submitted that *Wakai et al.* also fails to teach or suggest the claimed combination as set forth in independent claim 1 including at least “an electrode pattern formed on the second substrate,” “a seal pattern formed...completely surrounding the electrode pattern,” “a pixel electrode on said protective film,” and “wherein the electrode pattern is between said seal pattern and said protective film.”

Since *Sawatsubashi et al.* and *Wakai et al.*, whether taken separately or in combination, fail to teach or suggest every feature of independent claim 1, it is respectfully submitted that *Sawatsubashi et al.* in view of *Wakai et al.* do not render claim 1 unpatentable. Further, since claims 2, 5-8, 22 and 23 depend from claim 1, it is respectfully submitted that *Sawatsubashi et al.* in view of *Wakai et al.* also do not render claims 2, 5-8, 22 and 23 unpatentable.

In addition, it is respectfully submitted that dependent claims 2, 5-8, 22 and 23 are allowable also because *Sawatsubashi et al.* in view of *Wakai et al.* fail to teach or suggest features of these claims. For instance, it is respectfully submitted that *Sawatsubashi et al.* in view of *Wakai et al.*, whether taken separately or in combination, fail to teach or suggest the claimed combination as set forth in claim 7 including at least “wherein said electrode pattern forms an electric field with said common electrode,” and the claimed combination as set forth in claim 8 including at least “wherein said electrode pattern is applied with a constant DC bias voltage.” Moreover, it is respectfully submitted that *Sawatsubashi et al.* and *Wakai et al.*, whether taken separately or in combination, fail to teach or suggest the claimed combination as set forth in claim 22 including at least “wherein said electrode pattern is embedded within said seal pattern,” and the claimed combination as set forth in claim 23 including at least “wherein said electrode pattern contacts only said seal pattern and said protective film.”

In light of the above, withdrawal of the rejection of claims 1, 2, 5-8, 22 and 23 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

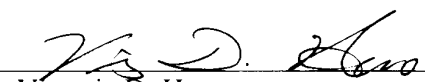
In view of the foregoing, Applicants respectfully request the Examiner’s reconsideration and reexamination of the application and the timely allowance of the pending claims. Should

there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
Victoria D. Hao
Registration No. 47,630

Dated: November 7, 2003

Customer No.: 009629

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Sir:

RESPONSE TRANSMITTAL FORM

1. Transmitted herewith is a Response and Request for Reconsideration Under 37 C.F.R. § 1.116 responding to the Office Action dated August 21, 2003 (Paper No. 19).
2. Additional papers enclosed:
 - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	21	minus	21	0	x \$18 each=	+ \$00.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	0	x \$86 each=	+ \$00.00
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$ 00.00
SUB-TOTAL =						\$00.00
Reduction by ½ for filing by a small entity						- \$00.00
TOTAL FEE =						\$00.00

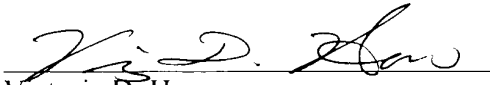
6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ Check in the amount of \$_____ for _____. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: November 7, 2003

By: 
Victoria D. Hao
Reg. No. 47,630

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